

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL
SOFTWARE ANTITRUST LITIGATION
(NO. II)**

**Case No. 3:23-md-3071
MDL No. 3071**

Honorable Waverly D. Crenshaw

**Declaration of Jeffrey B. Kaplan on Behalf
of Dimond Kaplan & Rothstein, P.A. in
Support of Scott & Robins Leadership
Application**

This Document Relates to: ALL CASES

**DECLARATION OF JEFFREY B. KAPLAN ON BEHALF OF DIMOND KAPLAN &
ROTHSTEIN, P.A. IN SUPPORT OF SCOTT & ROBINS LEADERSHIP
APPLICATION**

I, Jeffrey B. Kaplan, pursuant to 28 U.S.C. §1746, declare that the following is true and correct to the best of my knowledge and belief.

1. I am a member in good standing of The Florida Bar.
2. I am a partner of the law firm of Dimond Kaplan & Rothstein, P.A., counsel for plaintiffs in the following action, which is part of the above-captioned multidistrict litigation (the “MDL”): *Saloman v. RealPage, Inc.*, No. 3:23-cv-00381 (M.D. Tenn.).
3. Pursuant to this Court’s April 19, 2023 Order (ECF. No. 3) and the June 1, 2023 Order (ECF. No. 243), I submit this declaration in support of the Scott & Robins Leadership Application submitted by Scott+Scott Attorneys at Law LLP and Robins Kaplan LLP (the “Scott & Robins Leadership Application”).
4. For the past 20 years, my law firm and I have successfully litigated numerous complex matters, including those involving securities law violations, data privacy, and consumer

fraud. These matters have been prosecuted in state and federal courts throughout the United States, as well as in private arbitration forums. In addition to the foregoing, my law firm was among the law firms representing two of the plaintiffs in *In re LIBOR-Based Financial Instruments Antitrust Multidistrict Litig.*, No. 1:11-md-02262 (S.D.N.Y.).

5. I have been a licensed attorney for 29 years and have been an active litigator for the past 27 years. During that time, either I or my firm, Dimond Kaplan & Rothstein, P.A. have been appointed to leadership positions in many different complex cases. Those cases include *Cifuentes, et al., v. Regions Bank*, No. 11-CV-23455-FAM (S.D. Fla.); *Schorrig v. IBM Southeast Emps.’ Fed. Credit Union, et al.*, No. 09-CV-80973 (S.D. Fla.); *Grossbard, et al. v. Securities America, Inc., et al.*, No.: 09-cv-350 (D. Neb.), and *IN RE: Medical Cap. Broker-Dealer Secs. Litig.*, No. SA10-ML-2145, MDL Docket No. 2145 (C.D. Cal.). Based on this experience and my understanding of the circumstances of this MDL, I support the Scott & Robins Plaintiffs’ Leadership Application.

6. I am familiar with the work of Scott+Scott Attorneys at Law LLP (“Scott+Scott”) and Robins Kaplan LLP (“Robins”). While I have not worked directly with these firms previously, I have followed a number of cases those firms have pursued, and I have had in-depth discussions with respected colleagues who have worked on matters extensively with both Scott+Scott and Robins. Based on my review of matters and discussions with colleagues, each firm litigated cases with the utmost professionalism, dedication, and efficiency. They are eminently qualified to lead the Multifamily Plaintiffs in this MDL and I support the appointment of these two firms as interim co-lead counsel, as set forth in the Scott & Robins Plaintiffs’ Leadership Application.

7. I also am familiar with the firms who are seeking appointment to the Plaintiffs’ Steering Committee as part of the Scott & Robins Leadership Application. Namely, my firm and

I have worked with Kozyak Tropin & Throckmorton (“Kozyak”) on matters over the past 20 years. Kozyak is a highly respected firm and has litigated cases with the utmost professionalism, dedication, and efficiency. I believe that all the firms seeking Steering Committee appointments are highly respected based on their substantial experience litigating complex antitrust class actions and achieving outstanding results for their clients and class members. I support the appointment of these firms to positions on the Plaintiffs’ Steering Committee.

8. Dimond Kaplan & Rothstein, P.A. is available and willing to assist the Scott & Robins Leadership team should they ask for our assistance in prosecuting this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 5, 2023, in Miami, Florida.

By: /s/ Jeffrey B. Kaplan
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